

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAACK, ATTILIO PO
and KARL LEIBINGER, on behalf of themselves
and those similarly situated,
Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 03-CV-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS, L.L.C., a
Delaware limited liability company,
Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 04-CV-10411 (PBS)

GARY B. FILLER and LAWRENCE PERLMAN,
Trustees of the TRA Rights Trust,
Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 04-CV-10477 (PBS)

JANET BAKER and JAMES BAKER, JKBAKER LLC
and JMBAKER LLC,
Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 04-CV-10501 (PBS)

**NOTICE OF WITHDRAWAL OF PLAINTIFFS' MOTION FOR LEAVE TO
CONDUCT RULE 30(B)(6) DEPOSITION OF DEFENDANT DEXIA BANK BELGIUM**

WHEREAS, on May 22, 2006, Plaintiffs in the above-captioned actions filed a motion for leave to conduct a Rule 30(b)(6) Deposition of Defendant Dexia Bank Belgium ("Dexia") (#246 in 03-cv-11566, #93 in 04-cv-10411, #111 in 04-cv-10477, and # 95 in 04-cv-10501); and

WHEREAS, on December 28, 2006, the Court issued an order granting Plaintiffs' motion in part and instructing the parties to meet and confer to resolve their remaining disputes, and to report back to the Court on January 8, 2007 concerning the status of their negotiations; and

WHEREAS, on January 8, 2007, the parties filed a joint report advising the Court that they had resolved their disputes concerning the Rule 30(b)(6) deposition of Dexia except as to Topics 3 and 7 referenced in the Court's order; and

WHEREAS, the Court scheduled a hearing on January 17, 2007 at 11:30 a.m. to hear the parties' dispute concerning Topics 3 and 7; and

WHEREAS, on January 16, 2007, the parties resolved their remaining disputes concerning Topics 3 and 7;

THEREFORE, the Plaintiffs hereby withdraw without prejudice the portion of their May 22, 2006 motion to compel Dexia that was not resolved by the Court's December 26, 2006 order, and request that the hearing scheduled for this morning be cancelled.

Dated: January 17, 2007

Respectfully submitted,

**BERMAN DEVALERIO PEASE
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/s/ Patrick T. Egan

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CERTIFICATE OF SERVICE

I hereby certify that this document will be filed through the ECF system, which filing will constitute service of the document upon all registered ECF users as identified on the Notice of Electronic Filing (NEF). A paper copy of this document has been mailed in accordance with FED. R. CIV. P. 5(b) to all those case participants not identified on the NEF as electronic recipients.

/s/ Susan M. Davies
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